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R E M A R K S

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A final Office Action was mailed on April 04, 2008. Applicant submitted a response to the final Office Action on June 2, 2008. The Examiner responded by issuing an Advisory Action on June 24, 2008.

Claims 1 – 21 are pending; claims 1 – 3, 5, 8 – 10, 12 – 14, 16, 17, 20 and 21 stand rejected under 35 U.S.C. §102; claims 6, 7, 18 and 19 stand rejected under 35 U.S.C. §103; and claim 15 is withdrawn from consideration.

In the present amendment, claims 1, 14 and 17 have been amended to more clearly and distinctly claim the subject matter that applicants regard as their invention. Support for the claim amendment may be found in Applicant's specification, page 7, lines 3 – 16. No new matter has been added.

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Rejections under 35 U.S.C. §102

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Claims 1 – 3, 5, 8 – 10, 12 – 14, 16, 17, 20 and 21 stand rejected under 35 U.S.C. § 102(a) as being anticipated by the LexisNexis website printouts (hereinafter Lexis).

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Rejections under 35 U.S.C. §103

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Claims 6, 7, 18 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lexis in view of Shaw ("Inventing the 'Paper' of Figure…Newspapers and the Future: First of Two Part. Next: Fax, phones, fear and the future." Los Angeles Times. June 2, 1991. Pages 1 – 8 hereinafter Shaw).

Claims 4 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lexis in view of Official Notice.

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Response to Arguments

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Applicants submit that at least for the following reasons, claims 1 – 3, 5, 8 – 10, 12 – 14, 16, 17, 20 and 21 are not anticipated by Lexis.

Regarding claims 1 – 3, 5, 8 – 10, 12 – 14, 16 and 21, Applicants note that amended claim 1 relates to "*A method for use in an information processing system for generating a recommendation based on search criteria at a processing device.*"

In the Office Action, page 10, it is conceded by the Office that some of the factors disclosed in Lexis such as KWIC search, etc. are limiting the results after the results have already been processed. However, in the Office Action, it is also alleged that the Jurisdiction selection in Lexis is a factor that limits optimal processing characteristics of a recommendation generating process. Applicants respectfully disagree and reiterate the arguments set forth in Applicants' previous responses on June 2, 2008; October 31, 2007; October 30, 2007; and June 6, 2007.

In the present amendment, Applicants have clarified that claim 1 requires "*pre-defining one or more user-selectable limiting factors in a recommender system that limit optimal processing characteristics of a recommendation-generating process implemented in the recommender system and that are independent of the search criteria; receiving a user selection of the one or more pre-defined, user-selectable limiting factors to be used;*" and "*receiving an input in the recommender system that is dependent on the search criteria.*" Applicants submit that the Jurisdiction selection in Lexis is not the "*one or more pre-defined, user-selectable limiting factors in a recommender system that limit optimal processing characteristics of a recommendation-generating process implemented in the recommender system and that are independent of the search criteria,*" as claimed. Rather, the Jurisdiction selection is just "*an input in the recommender system that is dependent on the search criteria.*" This is because the Jurisdiction selection specifies which databases to be used (e.g., a criteria whether it is binding or persuasive) and therefore, such database selection is just one of the search criteria in the input, but not a limiting factor that is independent of the search criteria. Although a Jurisdiction selection search with a wider scope would require accessing a larger number of databases than a search with narrower scope, there is no fundamental difference between other search criteria where, for example, a broader keyword search which may require accessing a larger number of databases than a specific keyword search. As required by the claim, the input (in this case,

including the Jurisdiction selection) is processed in the recommender system based on the search criteria by the recommendation-generating process in accordance with the selected one or more pre-defined, user-selectable limiting factors that are independent of the search criteria. Clearly, the Jurisdiction selection is an input <u>that is dependent on the search criteria</u>. Therefore, Applicants submit that the Jurisdiction selection is not the one or more pre-defined, user-selectable limiting factors *that are independent of the search criteria*," as claimed.

In view of the foregoing, Applicants submit that claim 1 is not anticipated by Lexis. Independent claim 14 contains many distinguishing features as discussed above for claim 1, and therefore is not anticipated by Lexis. Claims 2 – 13, 21 and 16 are also believed to be patentable because they depend from claims 1and 14 respectively.

Regarding claims 17 – 20, Applicants note that amended claim 17 requires:

> *"pre-defining one or more user-selectable limiting factors in a recommender system that limit optimal processing characteristics of a recommendation-generating process implemented in the recommender system;*
>
> *receiving an input in the recommender system <u>independent of the one or more pre-defined, user-selectable limiting factors</u>."*

In the present amendment, Applicants have clarified that the receiving of the input is <u>independent</u> of the limiting factors. Therefore, if the input is received independent of the Jurisdiction selection, then the Jurisdiction selection is just one of the search criteria so that **optimal results** are presented, i.e., results from the selected databases are presented. Applicants submit that the Jurisdiction selection is not a "*limiting factors in a recommender system that limit optimal processing characteristics of a recommendation-generating process implemented in the recommender system*," as claimed. This is because if the input is received independent of the Jurisdiction selection, then there is no process that pertains to the operation of the device to search specific databases. Just like KWIC, FULL, All Pos, etc., the Jurisdiction selection only provides the presentation of results after the results have already been processed. In this case, only results from the selected jurisdictions are presented.

Furthermore, Applicants submit that even if the Jurisdiction selection in Lexis is considered a limiting factors in a recommender system that limit optimal processing characteristics of a recommendation-generating process implemented in the recommender system, as alleged by the Office, then the receiving of the input is <u>dependent</u> of the limiting factor because the Jurisdiction selection limits the receiving of data from selected databases only. Therefore, the Jurisdiction selections in Lexis does not teach "*pre-defining one or more user-selectable limiting factors in a recommender system that limit optimal processing characteristics of a recommendation-generating process implemented in the recommender system; receiving an input in the recommender system independent of the one or more pre-defined, user-selectable limiting factors,*" as claimed.

In view of the foregoing, Applicants submit that claim 17 is not anticipated by Lexis. Claims 18 – 20 are also believed to be patentable because they depend from claim 17.

Withdrawal of the rejection of claims 1 – 3, 5, 8 – 10, 12 – 14, 16, 17, 20 and 21 under 35 U.S.C. § 102(a) is respectfully requested.
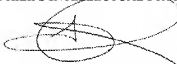
Applicants submit that the secondary reference Shaw does not bridge the above-discussed feature gap between Lexis and the claim 1 or 17. Therefore, claims 6 – 7 and 18 – 19 should also be patentable because they depend from claims 1 and 17 respectively. Applicants further submit that nothing in the Official Notice can bridge the above-discussed feature gap between Lexis and the claim 1. Therefore, claims 4 and 11 should be patentable because they depend from claim 1. Withdrawal of the rejection of claims 4, 6, 7, 11, 18, and 19 under 35 U.S.C. § 103(a) is respectfully requested.

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above remarks, it is believed that claims 1 – 14 and 16 – 21 are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not already paid through an EFS-Web filing, may be charged to Deposit Account No. 50-3894. Any overpayment may be credited to Deposit Account No. 50-3894.

Respectfully submitted,

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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